

## NATURAL RESOURCE COMMISSION[571]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 110, "Trapping Limitations," Iowa Administrative Code.

Chapter 110 sets the requirements for placing, tagging and checking traps and snares.

The amendments prohibit the placement of traps or stakes in the public right-of-way outside of the legal season. They also require that live animals be released immediately or euthanized by the trapper.

Any interested person may make written suggestions or comments on the proposed amendments on or before April 29, 2009. Written comments may be directed to the Wildlife Bureau's Web site at [www.iowadnr.com](http://www.iowadnr.com) or may be sent to the Wildlife Bureau Chief, Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319-0034; fax (515)281-6794. Persons who wish to convey their views orally should contact the Wildlife Bureau at (515)281-5034 or at the Wildlife Bureau offices on the fourth floor of the Wallace State Office Building.

Also, there will be public hearings held at 18 locations via the Iowa Communications Network on April 29, 2009, from 6 to 9 p.m. Interested persons should contact the Department at (515)281-5034 for a list of hearing locations or go to the Department's Web site at [www.iowadnr.com](http://www.iowadnr.com). At the hearings, persons may present their views either orally or in writing. Persons attending the hearings will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department of Natural Resources and advise of specific needs.

These amendments are intended to implement Iowa Code sections 481A.38 and 481A.92.

The following amendments are proposed.

ITEM 1. Amend rule 571—110.1(481A) as follows:

**571—110.1(481A) Public roadside limitations—snares, body-gripping, and conibear type traps.** No person shall set or maintain any snare, body-gripping, or conibear type trap within any public road right-of-way within 200 yards of buildings inhabited by human beings unless a resident of the dwelling adjacent to the public road right-of-way has given permission or unless the body-gripping or conibear type trap is completely ~~under water~~ underwater or at least one-half of the loop of a snare is ~~under water~~ underwater. Nothing in this rule shall be construed as limiting the use of foothold traps or box-type live traps in public road rights-of-way. No person shall place or leave any trap, stake, or nonindigenous set making material upon any public road right-of-way except during the open trapping season.

ITEM 2. Amend rule 571—110.5(481A) as follows:

**571—110.5(481A) Removal of animals from traps and snares.** All animals or animal carcasses caught in any type of trap or snare, except those which are placed entirely underwater and designed to drown the animal immediately, must be removed from the trap or snare by the trap or snare user immediately upon discovery and within 24 hours of the time the animal is caught. All live animals must be released or euthanized immediately upon discovery.